

**MINUTES**  
**OF**  
**THE UTAH RADIATION CONTROL BOARD**  
**June 3, 2005**  
**Department of Environmental Quality (Bldg. #2)**  
**Conference Room 101**  
**168 North 1950 West**  
**Salt Lake City, Utah 84114-4250**

**BOARD MEMBERS PRESENT**

Karen S. Langley, M.S., Chair,  
Stephen T. Nelson, Ph.D., Vice Chair,  
Dianne R. Nielson, Ph.D., Director of DEQ  
Dane Finerfrock, Executive Secretary  
Keith C. Barnes, J.D.  
Linda M. Kruse, M.S.  
Joette Langianese, Commissioner  
Joseph K. Miner, M.D.  
Gregory G. Oman, D.D.S., B.S.  
Dan L. Perry, B.S.  
Robert S. Pattison, B.S.

**PUBLIC**

Robert (Bob) Baird, URS Corporation  
Jason Groenewold, HEAL Utah  
Joe Heckman, Envirocare of Utah, LLC  
Tye Rogers, Envirocare of Utah, LLC  
Vern Rogers, URS

**BOARD MEMBERS ABSENT/EXCUSED**

Kent J. Bradford, P.G.  
Rod O. Julander, Ph.D.  
John W. Thomson, M.D.

**DRC STAFF/OTHER DEQ MEMBERS**  
**PRESENT**

Molly Gregersen, DRC Staff  
Craig Jones, DRC Staff  
John Hultquist, DRC Staff  
Loren B. Morton, DRC Staff  
Raymond Nelson, DRC Staff  
Fred Nelson, Attorney for DEQ  
William J. Sinclair, Deputy Director for DEQ  
Yoli Shropshire, DRC Staff

## **GREETINGS/MEETING CALLED TO ORDER**

The Utah Radiation Control Board convened in DEQ Building #2, Room 101, 168 North 1950 West, Salt Lake City, Utah. Karen S. Langley, Chair, called the meeting to order at 2:00 p.m. She welcomed the Board Members and the public. Karen Langley indicated that if the public wished to address any items on the agenda, they should sign the public sign-in sheet. Those desiring to comment would be given an opportunity to address their concerns during the comment period.

Dane Finerfrock asked the newest Board Member Joette Langianese, Commissioner, to introduce herself to those present from the Board. Joette Langianese, Grand County Commissioner, said she was happy to join the Radiation Control Board. She said she had been involved, along with Loren Morton, on issues concerning the Stakeholder Meetings in Moab, Utah, and she had also been involved in the recent process of the DOE's announcement of the Moab tailings cleanup. Joette said that she was looking forward to the Board's holding a meeting in Moab, possibly in the very near future. She said it would be beneficial for current residents to attend.

## **I. APPROVAL OF MINUTES (Board Action Item)**

### **a. Approval of May 6, 2005 Minutes**

Karen S. Langley, Chair, asked the Board Members if they had any corrections to the minutes of June 3, 2005. Karen S. Langley, Chair, proposed the following changes to the Minutes:

1. Page 1, under the Public attendance list, Correction to the misspelled name of: "**Joe Hackman**, Envirocare of Utah, LLC" **Changed to read: "Joe Heckman."**
2. Page 5, Item V. a., #4., first sentence and second sentence which in both sentences there is a misspelling of "**dosimetry**." **Change to read:** "Outstanding issues that were "pushed aside for a while" were resolved, such as an investigation in Envirocare's **dosimetry** program. Envirocare has upgraded their **dosimetry** program."

**MOTION MADE BY ROBERT J. PATTISON, TO APPROVE THE MINUTES WITH THE CORRECTED CHANGES, SECONDED BY GREGORY G. OMAN.**

**TWO MEMBERS OF THE BOARD ABSTAINED FROM THE VOTE, THEY ARE: (1) JOETTE LANGIANESE AND (2) STEPHEN T. NELSON, VICE CHAIR.**

**MOTION CARRIED AND PASSED**

## **II. RULES No Items**

**III. RADIOACTIVE MATERIALS LICENSING/INSPECTION**  
**No Items**

**IV. X-RAY REGISTRATION/INSPECTION (Board Action Item)**

**a. Approval of Mammography Imaging Medical Physicist – Craig Jones**

Craig Jones, Manager, informed the Board that each year he offers for the Board's certification a category of individuals known as Mammography Imaging Medical Physicists. The Radiation Control Act gives the Radiation Control Board authority to establish certification procedures and qualifications for individuals servicing mammography equipment. Craig asked the Board Members to refer to the supplemental packet. The individuals listed below have requested certification as Mammography Imaging Medical Physicists (MIMP):

Lisa M. Bosworth, M.S.  
1849 Mortimer Drive  
Boise, Idaho 837122309 Shelby

Neil A. Keller, M.S.  
Medical Physics Consultants, Inc.  
Ann Arbor, Michigan 48103

Byron Lynn Hardy, Ph.D., DABR  
8013 Stream View Drive  
Sandy, Utah 84093

David A. Tripp, Ph.D., DABR  
Univ. of UT Health Sciences Center  
Department of Radiology  
50 North Medical Drive  
Salt Lake City, Utah 84132

R.J. Hoffman, M.S.  
291 Four Woods Circle  
Salt Lake City, Utah 84109

Gene L. Wollen, M.S.  
Health Physics Northwest  
11535 SW 67<sup>th</sup> Street  
Tigard, Oregon 97223

Ann M. Jones, M.S.  
1780 East Logan Avenue  
Salt Lake City, Utah 84208

Medical physicists have performed evaluations of facilities conducting mammographys across the State, and medical physicists oversee the "quality assurance practices" at mammography facilities. The Administrative Rule, currently approved by the Board, require medical physicists to annually-submit an application in order to continue providing their services. In the application, they are required by rule to document two facilities they have inspected and to document continuing-education units earned over a defined period of time. The continuing-education units are specific to mammography applications. There are six individuals that are seeking the Board's approval for certification as Mammography Imaging Medical Physicists. They are all individuals that have been performing this work over the last few years in Utah.

Richard B. Sanborn, DRC Health-Physicist, has reviewed all of the information submitted for the applicants with the exception of Gene L. Wollan. Craig said

that he reviewed the application for Mr. Gene L. Wollan. The seven individuals have demonstrated they have satisfied the continuing education and experience requirements of the Radiation Control rules; consequently, they can be recertified as MIMPs for the period of June 1, 2005 to May 31, 2006.

**RECOMMENDATION:**

The Executive Secretary recommends the approval of the seven individuals to serve as Mammography Imaging Medical Physicists. They meet the requirements established by the Board. The effective date of the approval is from June 1, 2005 to May 31, 2006.

**MOTION MADE BY DAN L. PERRY, TO CERTIFY THE LIST OF SEVEN INDIVIDUALS AS MAMMOGRAPHY IMAGING MEDICAL PHYSICISTS FOR THE PERIOD OF JUNE 1, 2005 TO MAY 31, 2006, SECONDED BY KEITH C. BARNES.**

**MOTION CARRIED AND APPROVED UNANIMOUSLY**

**V. RADIOACTIVE WASTE DISPOSAL (Board Information Item)**

**a. Overview and Changes to the Generator Site Access Permit Enforcement Policy – John Hultquist**

John Hultquist, Manager, discussed changes to the Generator Site Access Permit Enforcement Policy (GSAPEP). John informed Board Members the State of Utah, Division of Radiation Control requires generators to obtain a Generator Site Access Permit in order to ship radioactive waste to Envirocare. The Generator Site Access Program has been in place since January 2002. There are approximately 200 permittees. In October 2004, the Hazardous Materials regulations were changed for the Department of Transportation (DOT); consequently, the Division of Radiation Control (DRC) has updated the GSAPEP.

There are shipments arriving at the Envirocare facility that are called "Non DOT regulated waste." In other words, the radioactivity in the shipment is low and the DOT is not concerned with it, but the DRC is concerned; consequently, the DRC will include language in the GSAPEP to give the DRC jurisdiction. The DRC is also currently reviewing and clarifying some language in the GSAPEP that will include the verbiage: "must be a strong type container or package."

John said violations in the GSAPEP are assigned a point value between 10–525 points. Violations/Deficiency-Findings address conditions with "significant impact" as well as cases of "minor concern" that could lead to

more serious problems. Findings under 100 points warrant a notice of deficiency and findings over 100 points warrant a Notice of Violation.

John asked the Board Members to refer to the second page in the Board packet. On the second page, they could see the number of inspections the DRC had conducted at Envirocare, and they could also refer to the inspection History of Violations and Deficiency Letters.

John informed the Board the DRC would commence a 30-day public comment period to allow interested parties to review and submit comments on the requirements and changes to the GSAPEP and point value assessment. This will allow the Division to identify and address issues and concerns.

**b. License Amendment 22: Envirocare of Utah, Class A Disposal Cell-North – John Hultquist**

John Hultquist, Manager, informed the Board Members that Envirocare of Utah requested to terminate their B and C Radioactive Materials License in February 2005. The DRC terminated the B and C license. Envirocare is now requesting to convert the B and C disposal cell into a Class A disposal cell.

The Division has reviewed Envirocare's institutional control assuredty, environmental monitoring, groundwater monitoring and the embankment design. The Division has found Envirocare's preparations to be adequate, and the Division recommends amending Envirocare's radioactive material license. The Division will refer to the cell as the "Class A - North Cell." The cell is located north of the current Class A facility embankment. The new Class A cell is not an increase in size. The cell is an area that was approved for "hotter material." The cell will now be used for Class A waste.

**VI. URANIUM MILL TAILINGS UPDATE (Board Information item)**

**a. Update on the Moab Uranium Mill Tailings Remediation Project- Loren Morton, Manager, discussed the table below:**

<b>Date</b>	<b>Activity/Description</b>
	<b>Moab Uranium Mill Tailings Project, Near Moab Utah</b>
<b>May 26, 2005</b>	DOE/DEQ/Grand County/Moab City Meeting – in Moab <ul style="list-style-type: none"> <li>• EIS – draft final to go to DOE – HQ this week <ul style="list-style-type: none"> <li>○ Final to be published in early fall (September?)</li> <li>○ Record of Decision ROD) – to be published late</li> </ul> </li> </ul>

	<p>in 2005</p> <ul style="list-style-type: none"> <li>• Remedial Assistance Contractor – RFP won't published until after ROD (sometime in 2006)</li> <li>• Site Management <ul style="list-style-type: none"> <li>○ Groundwater Pump and Treat – 18 Million gallons of Contaminated groundwater removed to date. 10 new wells to be added this summer. Protective berm constructed to protect well fields.</li> <li>○ Dust Control - 28 acres of sprinklers now in</li> <li>○ Radon – some slightly elevated concentrations (3pCi/l) along SW corner of property</li> <li>○ Site Revegetation - some areas along East side of the mill site</li> <li>○ Initial Groundwater Action - DOE prepared to implement river water pumping</li> </ul> </li> <li>• Cleanup Project Planning <ul style="list-style-type: none"> <li>○ Job Projections – 80-100 (Moab &amp; Crescent Junction)</li> <li>○ Housing Issues – DOE will work with County &amp; Local Health Department</li> <li>○ Emergency Response – Coordination to begin with County &amp; Local Health Department</li> <li>○ Crescent Junction Water Needs</li> <li>○ Public Meetings (Moab, Thompson) – to be done in July or August, 2005</li> </ul> </li> <li>• Stakeholders Process – will continue</li> </ul>

## **VII. OTHER DIVISION ISSUES (Board Information item)**

### **a. Introduction of New Employee (Board information item) – Loren Morton**

Loren Morton, Manager, introduced Molly Gregresen, P.G., Hydrogeologist and newest member of the DRC Staff. Loren said that Molly would be working on some of his "old duties" which are: the Moab Tailings Project, some of the Uranium Mill Tailings and also the Rio Algom and Plateau. Occasionally, Molly will deliver reports to the Board. Molly Gregresen said hello to all of the Board Members and those present from the public.

**b. State Participation in the Environmental Protection Agency's Ambient Radiation Monitoring Program – RadNet (Board information item) – Phillip Griffin**

Philip Griffin, DRC Health Physicist, said he currently collects air and precipitation samples for the monitoring station in Salt Lake City. Philip said he would discuss the changes the EPA has "in store" for the Environmental Radiation Ambient Monitoring System (ERAMS). One of the first changes will be changing the name of the system to RadNet. This change will reflect the EPA's new and increased focus and capabilities. The EPA will install new collection systems that will have the capability of "real-time monitoring," and the ability to transmit data directly to EPA. The DRC will still send air and precipitation samples to EPA collected at this monitoring station. Philip gave a brief history of the EPA's environmental monitoring efforts. Philip said the Division (then a Bureau) maintained a monitoring station as far back as 1983 (when Dane was working at the Bureau of Radiation Control). Philip said that he had "taken over" the monitoring program from Donald Mitchell (Mr. Mitchell retired in the Spring of 2001).

Philip said the major reason for EPA's updating the monitoring system is to increase focus on "Homeland Security." After September 11, 2002, the Federal Government is concerned that individuals may want to use radioactive materials in a terrorist act; consequently, the EPA needs information that could be rapidly sent to the local authorities. They are also looking at the placement of the monitors to make sure the monitoring sites meet certain criteria. Philip asked the Board Members to refer to their Board packet to view pictures of the prototype monitoring-station the EPA will use. Philip discussed the location of the current monitoring station, and the Division's proposal to the EPA for the location of the new station. Philip said the DRC would continue its current practice of monitoring and collecting samples to ship to EPA, until the changes occur. The EPA plans to start deploying the new monitoring-stations as early as late Summer 2005.

**c. Email Notification about Division Issues and Activities Using LISTSERV (Board information item) – Craig Jones**

Craig Jones, Manager, said he was happy to inform Board Members that the Department of Environmental Quality is sponsoring an electronic mail server, known as List Sever or Listserv. It is a mechanism the DRC is using to rapidly distribute notices, circulars, or bulletins, or various sorts of information to people that want to know what is happening with radiation issues. Craig said the DRC's intent is to provide information about public notices to individuals who subscribe to the List Server. By law the DRC is required to advise or notify the public through the

newspaper or a public notice process of the DRC's "taking action" or taking comments. If a person misses something in the newspaper a number of days may lapse before they become aware of it. The "time lag" could diminish the amount of time the individual has for a public comment; consequently a List Server will help facilitate the distribution of information for DRC's announcements that the DRC is taking public comment on a particular issue--it will give the public adequate time to comment.

Craig said the Listserv link was located on the Department homepage. It is located under the heading of "What you can do?" and under the item that is listed as "New DEQ Listservs." If you clicked on the "New DEQ Listservs," then you would see the item on the second page listed as "DEQ Listservs." Radiation Control is the most recent addition. Craig encouraged everyone on the Board and in attendance to make use of their home email-systems and subscribe. He said it was very simple to join. All you have to do is send an email message and then confirm that you want to subscribe. After confirmation, you will receive a message that you have been added to the list.

Craig said the DRC could not have created Listserv without the help of the Information Technology Systems (ITS) and Planning and Public Affairs (PPA) within the Department of Environmental Quality. Craig informed the Board that ITS and PPA provided a lot of support to him, and he appreciated their making his job a lot easier. Craig announced that he would be serving as the Administrator of ListServ for the Division of Radiation Control.

Craig mentioned that people would not send messages to the Administrator of the ListServer. Information requests would be sent directly to the contact person named in the Public Bulletin. The contact would have "first-hand information."

**d. Discussion: Starting Board Meetings at 1:00 p.m. (Board Action Item) – Dane Finerfrock**

About eight years ago, according to Dane, the Board decided to start the Board meetings at 2:00 p.m. The main reason for this was to accommodate a dentist who was a Board Member. The Board Member said that due to his practice the soonest he could arrive to the Board meetings was 2:00 p.m. The Board Members went along with his suggestion, and the Board meeting time was changed to 2:00 p.m.

After much discussion, Dianne R. Nielson, Director of DEQ, suggested they leave the Board meetings at 2:00 p.m. for the convenience of everyone. Dianne suggested, if there were a lot of items or issues on the



Board agenda the Board meeting could start at 1:00 p.m. (the DRC has occasionally been doing this).

Karen S. Langley, Chair, said at this time, she did not see any reason for the Utah Radiation Control Board meetings to change from the current meeting time of 2:00 p.m. She said the meeting time would remain the same at this time. In the future, if there were a lot of items the time could be changed to 1:00 p.m.

**e. Election of Board Chairperson and Vice Chairperson for the Period of July 1, 2005 to June 30, 2006 (Board action item).**

The Board discussed how long a Chair and Vice Chair should remain in office. Also there was discussion of moving the Vice Chair to the Chair position.

Gregory G. Oman said in future elections, the Board could consider making it a policy for the Vice Chair to become the Chair the next year. The Board could have some continuity, and it would not be too much of a burden for anyone.

There were no changes to the Chair and Vice Chair at this meeting, and Karen S. Langley will remain as the Chair for the Utah Radiation Control Board and Stephen T. Nelson will also remain as Vice Chair for the Utah Radiation Control Board. Gregory G. Oman will Draft a proposal or guideline for the Board's consideration regarding the office of the Chair and Vice Chair for the Utah Radiation Control Board.

**VIII. Public Comment**

Jason Groenewold, Director of HEAL Utah, said he wanted to thank DRC for developing the ListServ. He felt this was a great addition and information would "get out there" immediately. Updates would get to the public in a timely manner.

Jason Groenewold had two questions for the Board. They are as follows:

- (1) What is the status of the study that was required by the Legislature of the DRC? The direction was given to the DRC in the last Session to study the potential long-term financial impacts to the State of Utah for radioactive facilities within the State.
- (2) The second question is (with respect to the recent modification of Envirocare's license) what is the status of one aspect of Envirocare's

license modification? The modification allows Envirocare permission to inspect and store sealed-sources on site?

Jason mentioned that he had not seen any information related to this, and that the permit specifically prohibits the disposal of sealed-sources at Envirocare's landfill. He wondered, if there could be an explanation. He had not received an explanation in writing. He asked for the purpose of Envirocare's proposal, and why the Division would allow Envirocare to store sealed-sources, if Envirocare was prohibited from disposing them?

Dane Finerfrock, Executive Secretary, responded to the first question. He said the DRC hired a contractor to evaluate the perpetual care fund. The division has developed a "scope of work" which involves both the DRC and the Division of Solid and Hazardous Waste (DSHW): Both Divisions have jointly developed a "scope of work" and outlined it in a table of contents.

The contractor is currently researching and preparing the report. DRC did not specify a timeline for the project to be completed. URS Corporation, the contractor, gave DRC an idea of how long it would take. DRC's goal is to be prepared to report to the legislature by September 2006. The legislature is requiring DRC's report be given to them prior to September 2006.

Jason Groenewold asked Dane: If there was a meeting taking-place or if there were any way for the public to be involved?

Dane Finerfrock responded that when the Board became involved with the report the public would also become involved. At this point, there is not a draft report. If you would like to see the "scope of work" or the "table of contents" the Division could certainly share it with you. There is not a reason not to share this information with you. He said as soon as the Division has the first draft and has consulted with the Division of Solid and Hazardous Waste's staff, it is the intent of DRC to put this information on the agenda for the next Board meeting and present it to the Board.

Jason Groenewold asked: "Do you have a tentative date in mind?"

Dane Finerfrock asked Bob Baird, representing URS Corporation and present at the meeting, if he could respond to Mr. Groenewold's question.

Bob Baird, URS Corporation, responded: As Dane mentioned there is not a firm deadline. We will certainly run out of funding, before we run out of time. I believe it will be completed sometime before the end of the Summer 2006. Summer 2006 will be a reasonable time for us to complete the draft form and deliver it to the DRC.

Dane Finerfrock responded to Jason Groenewold's second question: Dane explained that when DRC was considering the changes to Envirocare's license there was a big misunderstanding regarding what the change was about. Envirocare possesses two radioactive licenses. One license is their disposal license and the second license is for a moisture density gauge. A moisture density gauge is used to test compaction of earthen materials. The moisture density gauge was a separate license with a separate number. The gauge contained two sealed sources. For reasons beneficial to DRC staff, the DRC combined the sealed-source license into the disposal license. Envirocare was not granted permission to take sealed sources for storage disposal. There is still a prohibition against Envirocare taking sealed sources for disposal, but Envirocare does need sealed sources for the moisture density gauge license. The moisture density gauge is now part of the low-level waste license. There have been no license amendments that will allow Envirocare to take sealed sources as a commercial option.

Jason Groenewold responded that he appreciated Dane's explanation.

## **IX. OTHER ISSUES**

Next Board Meeting: July 8, 2005, DEQ Bldg #2, Conference Room 101, 168 North 1950 West, Salt Lake City, Utah 2:00 – 4:00 P.M.

The Board discussed the possibility of a Board meeting on July 8, 2005. Karen S. Langley asked the Board to note that it would be around the time of the July 4, 2005 Independence Day Holiday and that some Board Members might not be able to attend on a holiday.

**GREGORY G. OMAN, MADE A MOTION NOT TO HOLD A MEETING ON JULY 8, 2005, AND HE MOVED TO HOLD THE NEXT BOARD MEETING ON AUGUST 5, 2005, SECONDED BY DIANNE R. NIELSON WITH THE AMENDMENT THAT IF THE DRC HAD AN IMPORTANT ITEM "COME UP" IN JULY 2005, AND THE DRC NEEDED TO HOLD A MEETING THE DRC COULD CONTACT OR NOTIFY THE BOARD MEMBERS AND THEY COULD MEET IN JULY, 2005.**

**MOTION CARRIED AND APPROVED UNANIMOUSLY**

**THE BOARD MEETING ADJOURNED AT 3:00 P.M.**